



**City of Leavenworth**  
100 N. 5<sup>th</sup> Street  
Leavenworth, Kansas 66048

**CITY COMMISSION REGULAR MEETING**  
**COMMISSION CHAMBERS**  
**TUESDAY, JUNE 28, 2022 6:00 P.M.**

**Welcome to your City Commission Meeting – Please turn off or silence all cell phones during the meeting**  
*Meetings are televised everyday on Channel 2 at 6 p.m. and midnight and available for viewing on YouTube*

**CALL TO ORDER** – Pledge of Allegiance Followed by Silent Meditation

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**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

1. Minutes from June 14, 2022 Regular Meeting **Action:** Motion (pg. 02)

**Second Consideration Ordinance:**

2. Second Consideration Ordinance No. 8188 Regarding Speed Limits Along 4<sup>th</sup> Street Between Eisenhower and Metropolitan **Action:** Roll Call Vote (08)
- 

**NEW BUSINESS:**

**Public Comment:** *(i.e. Items not listed on the agenda or receipt of petitions)-Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address. A signup sheet will be provided in the commission chambers for anyone wishing to speak.*

**General Items:**

3. Update for Unsafe Structure 717 Spruce Street **Action:** Motion (pg. 11)  
4. Request for Partial Reimbursement for Speculative Building Incentive Loan **Action:** Motion (pg. 13)

**Bids, Contracts and Agreements:**

5. Consider Purchase and Installation of Stubby Park Restroom Facility **Action:** Motion (pg. 26)  
6. Consider Purchase and Installation of Havens Park Restroom Facility and Parking Area **Action:** Motion (pg. 33)
- 

**Consent Agenda:**

Claims for June 11, 2022, through June 24, 2022, in the amount of \$1,268,266.17; Net amount for Payroll #12 effective June 17, 2022 in the amount of \$383,151.49 (Includes Police & Fire Pension in the amount of \$9,888.71)

**Action:** Motion

**Other:**

**Adjournment**

**Action:** Motion



**CALL TO ORDER** - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Pro-Tem Jermaine Wilson, Commissioners Nancy Bauder, Edd Hingula and Griff Martin. Absent: Mayor Camalla Leonhard

**Staff members present:** City Manager Paul Kramer, Assistant City Manager Penny Holler, Finance Director Roberta Beier, Public Works Director Brian Faust, Planning & Community Development Director Julie Hurley, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

Mayor Pro-Tem Wilson asked everyone to stand for the pledge of allegiance followed by silent meditation.

**PROCLAMATION:**

**2022 Celebration of Juneteenth** – Mayor Pro-Tem Wilson read the proclamation congratulating and recognizing the 2022 Celebration of Juneteenth. The proclamation was accepted by Joana Scholtz.

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Hingula moved to accept the minutes from the May 24, 2022 regular meeting. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

**Second Consideration Ordinance:**

**Second Consideration Ordinance No. 8187 Rezoning 1830 S. Broadway Street from Planned Unit Development to Residential Mixed Use District** – City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced at the May 24, 2022 meeting.

Mayor Pro-Tem Wilson called the roll and Ordinance No. 8187 was unanimously approved.

**Public Comment:** *(Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes)*

Haley Shaw 317 N. Esplanade Street:

- Excessive speeding along N. Esplanade
- Elderly and young children in the area
- No stop signs along the street
- Drivers are speeding and on their cell phones
- Requesting consideration of amending the speed limit or adding speed bumps

William Connor 409 N. Esplanade

- No stop signs or stop lights in that area
- High density with Stove Loft apartments causing more traffic along the road

- Young children on street
- Traffic survey or another way to slow down drivers

Ysleta Meek 313 N Esplanade:

- People are driving in a hurry
- Signs stating children about or children playing are needed
- Congested area since people want to see the bridge and river
- Would like the City to look at ways to slow down speeders

Scott Lynch 518 Utah Street:

- Spoke about the memorial on 4<sup>th</sup> Street for his daughter Miranda Lynch
- Would like to keep the memorial where it is today
- Understands concerns about right-of-way, but feels there are other distractions along the roadways
- Possible solution is to remove the garland and get a red blinking stop sign

### **General Items:**

#### **Mayor's Appointment**

Mayor Pro-Tem Wilson on behalf of Mayor Leonhard moved to appoint to the Library Board Rebecca Kellogg to an unexpired term ending April 30, 2024. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

#### **Resolutions:**

**Resolution B-2314 Redemption of Taxable General Obligation Bonds, Series 2015-B** – City Manager Paul Kramer presented the issue before the City Commission to consider the resolution calling the outstanding principal amount of the Bonds maturing on and after September 1, 2023 in the aggregate principal amount \$260,000 for redemption and payment on September 1, 2022. This is the former Ramada Inn site, and is now the current site of Home2 Suites. By redeeming the bonds, we essentially will be paying off the bonds early based on revenues generated by the hotel. The savings to the City is \$12,497.50.

Commissioner Martin moved to approve Resolution B-2314 Redemption of Taxable General Obligation Bonds, Series 2015-B. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

#### **Bids, Contracts and Agreements:**

**Consider Approval of bid for the 2022 Pavement Management Project (Micro-Surfacing Program)** – Public Works Director Brian Faust presented for consideration the bids received and possible award of the 2022 Pavement Management – Micro-Surfacing and Crack Seal Program. The components for the Pavement Management Program include micro-surfacing, mill and overlay, parking lot upgrades and major repair and maintenance work beyond the scope of the Streets Division. The Micro-Surfacing and Crack Sealing Program for 2022 includes the City streets highlighted in the map provided in the agenda packet. City forces have been working on patching potholes and trimming limbs on the streets ahead of the year's program. Vance Brothers was the sole bidder and met all bidding requirements. Vance Brothers has completed the Granite Seal Program for the City in previous years. The company has done numerous micro-surfacing projects for other cities in Kansas and Missouri and has the experience to satisfactorily

perform this work for the City of Leavenworth. The 2022 budget included \$2 million dollars for the Pavement Management Program. In addition there was unused funds in 2021 that brings the total available to \$2.5 million dollars. There are additional components and design work that are also included in this total amount. Work is expected to begin in July or August and will be completed by November. The crack sealing and any required base patching will occur in late July or early August while the actual micro-surfacing will likely occur later in the fall. With the uncertainty in petroleum pricing, the project was bid with a list of additional streets that could be added to the project with no change in unit prices. Depending on bids received for the mill/overlay component, staff is requesting the ability to add streets to the project.

Mayor Pro-Tem Wilson:

- How would the additional streets be selected

Mr. Kramer:

- Those streets have already been identified as alternates in the bid, so those would be selected from there

Commissioner Bauder moved to award the 2022 Pavement Management – Micro-Surfacing and Crack Sealing Program to Vance Brothers in the amount of \$777,487.64 and authorize the Public Works Director to add additional streets, as funding permits, with the approval of the City Manager. Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

#### **First Consideration Ordinance:**

**First Consideration Ordinance for Change of Speed Limits Eisenhower to Metropolitan** – Public Works Director Brian Faust presented for first consideration an ordinance updating speed limits on 4<sup>th</sup> Street between Eisenhower and Metropolitan. During the May 17, 2022 Commission Study Session, staff presented the findings of the Speed Study conducted along 4<sup>th</sup> Street between Eisenhower and Metropolitan. After the presentation, there was consensus with the Commission to move forward with the process of updating the speed limits based on the findings of the study. Summary of findings/recommendations:

Eisenhower to Limit:	The recommended posted speed limit is 40mph
Limit to Spruce:	The recommended posted speed limit is 35mph
Spruce to Choctaw:	The recommended posted speed limit is 30mph (no change)
Choctaw to Miami:	Area not included in the study – remain at 20mph (no change)
Miami to Metropolitan:	The recommended posted speed limit is 35mph

There was consensus by the Commission to place on first consideration.

#### **Leavenworth Land Bank:**

Commissioner Bauder moved to recess as the Leavenworth City Commission and convene as the Leavenworth Land Bank Board of Trustee. Mayor Pro-Tem Wilson seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

**Consider Development Agreement for 600 Cherokee Street** – Assistant City Manager Penny Holler presented for consideration approval of the development agreement with Sean and Jennifer Willcott to



purchase and redevelop 600 Cherokee Street. The structure of the agreement is based on timelines, so the project is completed in reasonable timeframes. Reviewed action options for the Land Bank to take this evening.

Attorney Waters provided a brief review of the content of the agreement:

- Pre-closing and post-closing provisions are included in the agreement
- Due diligence on the part of both parties
- Ensuring the plans are acceptable to City
- Clear title is provided
- Plan specs are approved
- Timelines are laid out
- Compliance with code
- The building is properly insured
- Non-assignment provision

Commissioner Hingula:

- Any State requirements with this project

Attorney Waters:

- Historical Preservation items which the City handles on behalf of the State Historic Preservation Office would apply

Commissioner Bauder:

- When would closing occur

Attorney Waters:

- This is the first step, it provides the process for each party to follow to get to closing and conveying the property

Commissioner Hingula:

- Will Oktoberfest still happen

Mr. Sean Willcott:

- It's in our best interest to open as soon as possible

Commissioner Martin moved to approve the Development Agreement for 600 Cherokee Street. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

Commissioner Bauder moved to adjourn as the Leavenworth Land Bank Board of Trustees and reconvene as the Leavenworth City Commission. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

### **Consent Agenda:**

Commissioner Martin moved to approve claims for May 21, 2022 through June 10, 2022, in the amount of \$1,593,269.52; Net amount for Payroll #11 effective June 3, 2022 in the amount of \$338,632.66 (No Police

& Fire Pension). Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Pro-Tem Wilson declared the motion carried 4-0.

**Other:**

City Manager Paul Kramer:

- Installation of the Splash Pad should begin at Hawthorn Park next week
- 2 weeks from tonight, Stubby Park restroom and shelter and the Havens Park restroom bids will be brought before the Commission
- Aquatic Center is going well; we have really good full lifeguard staff
- Home Depot easements were obtained, City's obligation for that project are done
- Discussed indexed asphalt pricing for the mill and overlay project
- MSC and Cody Parking lot work will start soon
- Working with school on a 5 mile creek stabilization but it's on hold due to the minnow mating season
- Mowing update:
  - City owned clusters were awarded and the contractor has been mowing the clusters
  - Code enforcement mowings will begin at the end of the week

Commissioner Hingula:

- Asked for a Bird Scooter update
- Why did the Killer Queen concert get cancelled

Assistant City Manager Penny Holler:

- 1 month look back, 1800 rides were taken
- Hundreds of riders
- They are being used
- Average ride is about a mile

Wendy Scheidt with Leavenworth Main Street:

- Cancelled due to the projected severe weather
- Working on re-scheduling the concert and vendors

Commissioner Martin:

- Would like more information on the breakouts for the Bird Scooters metrics
- Having good creative conversations with people about ways to use ARPA funds, please keep the ideas coming

Commissioner Bauder:

- Budget hearings are coming up pretty soon, need to look closely at what we're spending with inflation
- Juneteenth Celebration is on Saturday, parade at 10am, and the festival is from noon to 5
- Checked on the status of the busses

Mayor Po-Tem Wilson:

- Continue to serve one another, love one another and pray for each other

**Adjournment:**

Commissioner Bauder moved to adjourn the meeting. Commission Hingula seconded the motion and the motion was unanimously approved and the meeting was adjourned.

Time Meeting Adjourned 6:53 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC

**POLICY REPORT  
SECOND CONSIDERATION ORDINANCE 8188  
AN ORDINANCE REGARDING SPEED LIMITS ALONG 4<sup>TH</sup> STREET  
BETWEEN EISENHOWER AND METROPOLITAN**

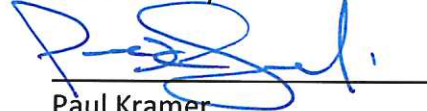
**JUNE 28, 2022**

Prepared by:



Sarah Bodensteiner, CMC  
City Clerk

Reviewed by:



Paul Kramer  
City Manager

**BACKGROUND:**

At the June 14, 2022 City Commission regular meeting the City Commission reviewed and placed on first consideration:

**AN ORDINANCE REGARDING SPEED LIMITS, AMENDING SECTIONS  
44-62 AND 44-63 OF THE LEAVENWORTH CODE OF ORDINANCES,  
AND ESTABLISHING NEW AND REPLACEMENT SECTIONS.**

There have been no other changes since first consideration.

Ordinance No. 8188 is now presented for second consideration and requires a roll call vote.

**ATTACHMENTS:**

- Ordinance No. 8188



*(Summary Published in the Leavenworth Times on July 1, 2022)*

**ORDINANCE NO. 8188**

**AN ORDINANCE REGARDING SPEED LIMITS, AMENDING SECTIONS 44-62 AND 44-63 OF THE LEAVENWORTH CODE OF ORDINANCES, AND ESTABLISHING NEW AND REPLACEMENT SECTIONS.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

**Section 1.** Section 44-62 of the Leavenworth Code of Ordinances is hereby deleted in its entirety and amended to read as follows:

**Sec. 44-62. Speed limit on U.S. 73 city connecting link (south fourth street trafficway) between Eisenhower and Shawnee Street.**

Traffic on U.S. 73 city connecting link (south fourth street trafficway) between Eisenhower and Shawnee Street shall not exceed the speed limits as follows for the respective distances set out in this section, traveling north:

- (1) Speed limit of 40 miles per hour starting 330 feet north of the Eisenhower and U.S. 73 intersection (south city limits) to the south side of the Limit Street intersection.
- (2) Speed limit of 35 miles per hour starting at the south side of the Limit Street intersection and to the south side of Spruce Street intersection.
- (3) Speed limit of 30 miles per hour starting at the south side of the Spruce Street intersection and to the south side of the Choctaw Street intersection.
- (4) Speed limit of 20 miles per hour starting at the south side of the Choctaw Street intersection and to the south side of the Shawnee Street intersection.

Any person, upon conviction of a violation of this section, shall be fined as provided in the penalty section of the Standard Traffic Ordinance for Kansas Cities as adopted by section 44-1.

**Section 2.** Section 44-63 of the Leavenworth Code of Ordinances is hereby deleted in its entirety and amended to read as follows:

**Sec. 44-63. Speed limit on U.S. 73 city connecting link (north fourth street) between Shawnee Street and Metropolitan Street.**

Traffic on U.S. 73 city connecting link (north fourth street) between Shawnee Street and Metropolitan Street shall not exceed the speed limits as follows for the respective distances set out in this section, traveling north:

- (1) Speed limit of 20 miles per hour starting at the south side of the Shawnee Street intersection and to the south side of the Miami Street intersection.
- (2) Speed limit of 35 miles per hour starting at the south side of the Miami Street intersection and to the south side of the Metropolitan Street intersection.

Any person, upon conviction of a violation of this section, shall be fined as provided in the penalty section of the Standard Traffic Ordinance for Kansas Cities as adopted by section 44-1.

**Section 3.** Sections 44-62 and 44-63 of the Leavenworth Code of Ordinances, in existence as of and prior to the adoption of this ordinance, are hereby repealed.

**Section 4.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper as provided by law.

PASSED and APPROVED by the Governing Body on the 28th day of June, 2022.

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Camalla M. Leonhard, Mayor

{SEAL}

ATTEST:

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Sarah Bodensteiner, CMC, City Clerk

**POLICY REPORT PWD NO. 22-34**

**UPDATE FOR UNSAFE STRUCTURE  
717 SPRUCE STREET**

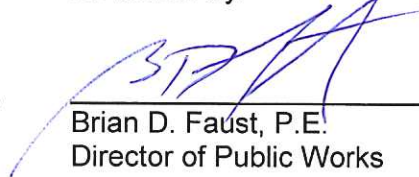
June 28, 2022

Prepared by:



Harold D. Burdette,  
Chief Building Inspector

Reviewed by:



Brian D. Faust, P.E.  
Director of Public Works

Reviewed by:



Paul Kramer,  
City Manager

**ISSUE:**

Consider current status of the structure located at 717 Spruce Street.

**BACKGROUND:**

This structure was damaged by fire on November 13, 2021. The City received a check from insurance proceeds for \$15,000. A Public Hearing was held on March 22, 2022, regarding the status of repairs. The Commission adopted Resolution No. B-2311, which stated that the owner was to commence with repairs and the City Commission would review the status of the project after 90 days.

There was little to no damage to the exterior of the building due to the fire, but there is a window on the south side of the building on the second floor that is broken and should be repaired. The interior repairs are nearly complete, except that there is no furnace at this time. The 2018 International Residential Code requires a heating facility in habitable rooms.

When structures are damaged by fire and other hazards and the damage is severe enough that the settlement from the insurance company exceeds 75% of the face value of the policy covering the structure, the insurance company is required to draft a payment to the City of Leavenworth for 15% of the settlement. This money is to be used to either remove the structure if the owner decides not to repair it, or return it to the property owner once repairs have progressed to a reasonable point, or are completed and the structure is ready for occupancy. In this situation, the money will be returned to the previous property owner when released.

Staff does not recommend releasing the funds until the window has been repaired and a heat source has been installed.

**RECOMMENDATION:**

Staff recommends that the City Commission allow up to another 90 days for repairs to be made to 717 Spruce Street.

**ATTACHMENT:**

Photos of structure





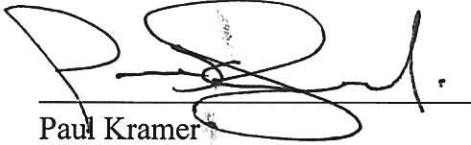


## Policy Report

Request for partial reimbursement of speculative building incentive loan

June 28, 2022

Prepared by:



Paul Kramer  
City Manager

### **Background:**

Starting in mid-2021, the Leavenworth County Development Corp., Leavenworth County Port Authority (LCPA), Leavenworth County and the City of Leavenworth started working with 21<sup>st</sup> Century Management LLC on a project to bring the headquarters of MAPS INC., to the Gary Carlson Business Park in Leavenworth. As part of those efforts, the entities above explored the first use of the LCPA Speculative Building Loan program.

### **Issue:**

The relevant information outlining the process of the project, financial return considerations, and the loan program is explained in great detail in the attachment to the policy report. The matter before the Commission is the request by the LCPA for repayment of the City's portion of the \$200,000 loan given by the LCPA to MAPS Inc., which facilitated the company's move to the City of Leavenworth.

### **Action Requested:**

Authorize reimbursement of payment of the City's portion of the loan provided to 21<sup>st</sup> Century Management LLC in the amount of \$49,239.65 to the LCPA.

ATTACHMENTS: Request and details provided by Dan Gutshall, LCPA Speculative Building Loan Committee Chairperson.

# Memo

**To:** City of Leavenworth (Paul Kramer, Manager) and County of Leavenworth (Mark Loughery, County Administrator)

**From:** Dan Gutshall, LCPA Spec Building Loan Committee Chairperson

**Date:** 06/21/2022

**Re:** Request to partially fund 21<sup>st</sup> Century Management LLC spec building incentive loan

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BACKGROUND: On 01/31/18 the Leavenworth County Port Authority formed a committee of five to research and report on a plan of action for a public/private funded industrial spec building/s in Leavenworth County. The initial members of the Industrial Spec Building Loan Program committee are Dan Gutshall, chairperson, Josh Hoppes, and Harland Russell. The two remaining positions remained unfilled. Ex-Officio members include Vernon Fields-Basehor, Tim Vandall-Lansing, Steve Jack, LCDC Director, Taylor Teddar-Leavenworth City, Mark Loughry-Leavenworth County, George Brajkovic-Tonganoxie

Committee Goal: Expand the industrial tax base and improve employment opportunities for Leavenworth County residents by increasing new industrial construction.

The Leavenworth County Port Authority Speculation Building loan program was approved by LCDC on 11/15/2018 and by LCPA 11/28/2018.

After application was received on 06/26/2021, the loan request was vetted by a separately appointed LCDC committee, approvals of the request by the LCDC executive committee were obtained, approvals of the request by LCPA were obtained, email communications were sent to City and County of Leavenworth, and on 08/31/2021 Leavenworth County Economic Development (LCDC) entered into a promissory note with Borrower, 21<sup>st</sup> Century Management LLC for \$200,000 as an incentive to provide needed capital to construct a building on the north portion of lot 9 Gary Carlson Industrial Park, commonly located at 5001 S 13<sup>th</sup> Street, Leavenworth, KS.

The incentive amount was determined by a pre-determined formula. The outcomes of those calculations are found on page 4 of this memo



The graphic below provides a limited summary of details related to the loan

LCPA/LCDC Building Incentive Loan Program Prepared by Dan Gutshall, Leavenworth County Port Authority Project: 21st Century Management LLC 8/18/2021				
<b>Brief Project Description</b>				
Building Size in sf	10,800			
Land utilized	2.9 acres			
Location	Gary Carlson Industrial Park Lot 9, less South 250'			
Project cost/sf	136.51			
Total Project costs	1,474,324			
Utilities	to the site			
Road Access	to the site			
Zoning	Industrial			
Appraised Value 2021	1,390,000			
Tenant	MAPS Inc.			
Jobs	21			
Average Salary	50,250			
LCDC Announced:	March 2021			
Construction to start	August 2021			
Time to construct	1 year			
Office sf	4,675			
Warehouse sf	6,125			
Parking spaces	24			
# of overhead doors	2			
Number of Standard doors	3			
Ceiling Height	21'			
Electric: Every	Cable: Spectrum	Engineer: Legend Engineering, Heber City UT Lead Bank: Intrust Bank Applicant: 21st Century Management LLC President and CEO: Darrell Yoder		
Water: LV Waterworks	Internet: AT&T			
Gas: KS Gas Service	Sewer: Leavenworth			
General Contractors: Single Source Contracting; Lynch Real Estate				
<b>Incentives</b> City of Leavenworth: 60% Real Estate Tax abatement for five yrs. City of Leavenworth: Issuance of Industrial Revenue Bonds City of Leavenworth: Small Business Grant LCDC: Building Incentive Loan		MAPS, Inc. is a Kansas Limited Liability Corporation organized in 2004. They are a leading, independent corporation that features highly acclaimed document products, office systems, and PrintMatrix® managed print services nationwide.		
				

21 Century Management LLC is owned by Darrell Yoder and Richard Reed. They are renting building to a related business interest called MAPS Inc. MAPS, Inc. is a progressive, independent technology company featuring a comprehensive suite of leading imaging and printing products, services, software, and solutions. MAPS has developed advanced partnerships with HP, Kyocera Document Solutions, Zebra to work together with multiple, innovative software tools and vendors.

They work to help their clients realize their vision and business goals by collaboratively bringing together a broad portfolio printing and imaging products and software solutions designed to be more responsive and to deliver a greater value. MAPS, Inc has been in business since 2004 and is moving their operations from Lenexa KS to Leavenworth. The company has 21 employees with an annual payroll that exceeds \$1,000,000.

The LCDC spec building incentive loan is a zero percent interest rate loan with first payment deferred in this set of circumstances to 09/05/2032. Borrower has a \$870,000 construction first mortgage with Intrust Bank (lead bank) with debt scheduled to mature 08/05/2032. Payments to LCDC will commence on 09/05/2021 and are \$8,504.48. Same amount as the lead bank loan payment. It will take approximately 24 months for the Borrower to pay off the \$200,000 spec building loan.

Start date for payments has other triggering events that can accelerate the start date of payments. The LCDC loan is secured by a \$200,000 filed second mortgage, security agreement, assignment of rents, and UCC-1 fixture filing (Doc#2021R10663). Title insurance policy was obtained from McCaffrey Short Title Company (Policy #5011300-3958873e) to confirm second lien position behind the lead bank's first mortgage position. Borrower maintains property hazard insurance through National Mutual Insurance Co. (Policy #ACP CIM 7214265616) with LCDC as mortgagee/loss payee.

The \$200,000 funding for the LCDC loan came for liquidity resources of LCPA in August 2021 to LCDC in the form of a donation to promote economic development. It is understood from the initial program briefings in 2018 that a request for partial funding of the original \$200,000 paid by LCPA would be made when the building is complete and occupied.

Email communications were additionally provided to the City and County on 08/18/2021 communicating the intent of LCDC to enter into the proposed spec building loan with 21<sup>st</sup> Century Management LLC and a future request and amounts of said request for partial funding of the spec building incentive loan were detailed.

The chart on page 4 represents the formulas used to determine contributions from LCPA, City of Leavenworth, and County of Leavenworth. The property was appraised by certified appraisal firm Keller, Crain & Associates from Overland Park, KS in May 2021 and valued "as complete" at \$1,390,000.

All of Leavenworth County economic development activities work best as volunteers, economic development entities, and primary public entities come together with their respective resources to study, promote, develop, and fund economic development. This is just another example of benefits obtained by the collaborative efforts.



Project Name		21st Century Mgt LLC Building in Gary Carlson Industrial Park		
		4/28/2021		
<b>Project Breakdown</b>				
Current Appraised Value:	\$			-
Anticipated Appraised Value:	\$		1,390,000.00	
Market Value Increase:	\$		1,390,000.00	
Current Assessed Value:	\$			-
Increased Assessed Value:	\$		347,500.00	
Current Mil. Rate:	\$		129.217	
Increased Real Estate Taxes:	\$		44,902.91	
<b>Potential Tax Revenue Breakdown</b>				
Entity	Mill Rate	Current Taxes	Added Taxes	Present Value*
City of Leavenworth 2020	31.813	\$ -	\$ 11,055.02	\$94,301.54
County 2020	36.946	\$ -	\$ 12,838.74	\$ 109,517.01
State	1.5	\$ -	\$ 521.25	\$ 4,446.37
USD 469	58.958	\$ -	\$ 20,487.91	\$ 174,765.99
<b>Total</b>	<b>129.217</b>	<b>\$ -</b>	<b>\$ 44,902.91</b>	<b>\$ 383,030.91</b>
*Present Value calculated on 10-yr period using a 3% discount rate				
<b>Incentive Calculation</b>				
Total PV of Potential Tax Revenue			\$	383,030.91
Tax Abatement Equivalent (75%)			\$	287,273.18
Potential Incentive (Capped at \$200,000)			\$	200,000.00
<b>Sources of Incentive Funds</b>				
City of Leavenworth			\$	49,239.65
Leavenworth County			\$	57,184.43
Leavenworth County Port Authority			\$	93,575.92
<b>Total</b>			<b>\$</b>	<b>200,000.00</b>

The initial industrial spec building loan program was adopted and communities briefed in December 2018 of the program components. The program goal was to expand the industrial tax base and improve employment opportunities for Leavenworth County residents by increasing new industrial construction. This is achieved by providing an incentive loan that has balanced funding between public and private sources that will help offset the capital investment needed by participant for construction of new industrial building projects. This is a loan that has to be paid, the incentive is zero percent interest rate and deferred payments till the lead bank in paid.

The 10,800-sf building commonly located at 5001 S 13<sup>th</sup> Street, Leavenworth, KS is completed and occupied. Tennant for the building is MAPS Inc. This entity has the same ownership structure as the Borrower.

**The purpose of this memo is for LCPA to formally request funding to partially refund the initial \$200,000 investment by LCPA for the industrial spec building loan program from:**

- 1. City of Leavenworth for \$49,239.65**
- 2. County of Leavenworth for \$57,184.43**

**It is understood payment of the requested funds may occur in the 2023 budgets. Said funds are to be paid to LCPA.**

Respectfully requested,  
Dan Gutshall, LCPA Spec Building Loan Program Committee Chairperson

**Experience, expertise, and collective skills of many achieving a common goal:**

LCPA Spec Building Committee Members (Started Feb 2018):

Josh Hoppes, Harland Russell, Dan Gutshall-Chair. Ex-officio members included Vernon Fields, Dan Porter, George Brajkovic, Mark Loughry, Steve Jack, Taylor Tedder, Tim Vandall  
Created and implemented the spec building loan program.

LCDC Application Review Committee:

Josh Hoppes, Harland Russell, Brian Habjan, and Dan Gutshall, Ex-officio member Steve Jack.  
Reviewed Borrower's application and completed due diligence to ensure compliance with program guidelines.

The LCDC Executive Committee for their consideration of this project after the LCDC Review committee completed their due diligence.

City of Leavenworth provided additional incentives to facilitate the decision by the Borrower to move operations from Johnson County to City of Leavenworth. Thanks to Taylor Tedder and Paul Kramer for their assistance in arranging for these incentives. These incentives are listed on page one of this request.

Partial funding is being considered by City Council of Leavenworth and the Leavenworth County Commissioners. Thank you for consideration of this request.

Active participation of the Board of Directors and Staff of LCDC and LCPA for their contribution of labor, marketing, professional resources, and funding to facilitate this incentive loan and implementation of the spec building loan program.

**Each provides their own essential link to achieve a common goal. When each was combined together, a difference was made.**

BACKGROUND: On 01/31/18 the Leavenworth County Port Authority formed a committee of five to research and report on a plan of action for a public/private funded industrial spec building/s in Leavenworth County. The initial members of the Industrial Spec Building Loan Program committee are Dan Gutshall, chairperson, Josh Hoppes, and Harland Russell. The two remaining positions remained unfilled. Ex-Officio members include Vernon Fields-Basehor, Tim Vandall-Lansing, Steve Jack, LCDC Director, Taylor Teddar-Leavenworth City, Mark Loughry-Leavenworth County, George Brajkovic-Tonganoxie

Committee Goal: Expand the industrial tax base and improve employment opportunities for Leavenworth County residents by increasing new industrial construction.

The Leavenworth County Port Authority Speculation Building loan program was approved by LCDC on 11/15/2018 and by LCPA 11/28/2018.

The chart on the right illustrates a 08/18/2021 projection of economic benefit for each of the participants after all incentives have been paid, including the proposed request for partial funding of the incentive loan, RE tax abatements, and City Grant.

Details used to support these projections are included on the following page.

Additionally multiple Leavenworth County vendors were utilized to construct the building. They include Evans Insurance, Herring Surveying Co., and Lynch Real Estate. Over \$313,000 in goods and services; or 21% of project budget totals

<b>Net, after all incentives are paid</b>		
<b>Leavenworth City</b>	<b>10 years</b>	<b>40 years</b>
Net Project RE taxes	9,685	170,917
Net sales taxes	10,663	28,893
Net Housing RE taxes	19,318	52,346
<b>Totals</b>	<b>39,665</b>	<b>252,157</b>
<hr/>		
<b>Leavenworth County</b>	<b>10 years</b>	<b>40 years</b>
Net Project RE taxes	17,054	204,301
Net sales taxes	5,331	14,447
Net Housing RE taxes	22,434	60,792
<b>Totals</b>	<b>44,820</b>	<b>279,540</b>
<hr/>		
<b>Aggregate</b>	<b>10 years</b>	<b>40 years</b>
Net Project RE taxes	26,739	375,219
Net sales taxes	15,994	43,340
Net Housing RE taxes	41,752	113,138
<b>Totals</b>	<b>84,485</b>	<b>531,697</b>



**Estimate of economic return on described Project**

Prepared 08/18/2021

Prepared by Dan Gutshall, LCPA

Project: 21st Century Management LLC

Source: Data.Gensus.gov 5 year average acs tables for household and economics

The purpose of this worksheet is to provide a estimate of a return of dollars invested for the described project. This is a example for illustration purposes only. Actual experiences and return of dollars invested will vary.

Real Estate tax impact		Sale tax impact		Housing Real State Tax Impact	
1,390,000	Value of Project	1,000,000	Annual Payroll for project	21	Number of Project Employees
347,500	assessed value at 25%	25%	Percent living in community	25%	Percent living in community
129.217	Projected Mill Levy	250,000	Payroll available	5	Number of Employees in community
44,903	Annual estimated RE taxes	25.00%	Est. % of inc. spent in Community	123,800	LV median home value
		62,500	Income subject to sales tax	127.588	Projected Mill Levy
11,055	Estimated taxes for Leavenworth City (31.813 mills)	2.00%	Sales tax percentage-LV city	11.500%	Assessment Rate
12,839	Estimated taxes for Leavenworth County (36.946 mills)	1,250	Revenue from sales tax	9,082	Annual estimated RE taxes
		1.00%	Sales tax percentage-LV County		
		625	Revenue from sales tax	2,265	Estimated taxes for Leavenworth City (31.813 mills)
				2,630	Estimated taxes for Leavenworth County (36.946 mills)

	Annually	10 yr., PV, 3%	40 yr., PV,3%		10 yr., PV, 3%	40 yr., PV,3%		10 yr., PV, 3%	40 yr., PV,3%
Leavenworth City	11,055	94,302	255,534	Leavenworth City	10,663	28,893	Leavenworth City	19,318	52,346
Leavenworth County	12,839	109,517	296,764	Leavenworth County	5,331	14,447	Leavenworth County	22,434	60,792

less RE tax abatements 60%	Annually	5 yr., PV, 3%	for net calc
Leavenworth City	(6,633)	(30,377)	(30,377)
Leavenworth County	(7,703)	(35,279)	(35,279)

less other contribution:	Bldg. Incentive	for net calc
Leavenworth City	(49,240)	(49,240)
Leavenworth County	(57,184)	(57,184)

Other	Grant	
Leavenworth City	(5,000)	(5,000)
Leavenworth County	-	-

Net after:	10 years	40 years
Leavenworth City	9,685	170,917
Leavenworth County	17,054	204,301



Net, after all incentives are paid		
Leavenworth City	10 years	40 years
Net Project RE taxes	9,685	170,917
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<b>Totals</b>	<b>84,485</b>	<b>531,697</b>



Legal Counsel for Leavenworth County Port Authority. Original loan documents are maintained at:

Barber Emerson, L.C.  
ATTN: Matthew S. Gough, Attorney  
1211 Massachusetts St  
Lawrence, KS 66044-3351  
785-843-6600  
[mgough@barberemerson.com](mailto:mgough@barberemerson.com)

Lender is:

Leavenworth County Development Corporation  
ATTN: Lisa Haack, Assistant Director  
1294 Eisenhower  
Leavenworth, KS 66048  
913-727-6111  
[lhaack@LVCountyED.org](mailto:lhaack@LVCountyED.org)

Lead Bank is:

Intrust Bank  
ATTN: Kurt Fischer, Market President, Kansas City  
4000 Somerset  
Prairie Village, KS 66208  
913-385-8266; cell phone is 913-638-6783  
[Kurt.Fischer@IntrustBank.com](mailto:Kurt.Fischer@IntrustBank.com)

21<sup>st</sup> Century Management LLC contact:

Darrell W. Yoder, President and CEO/MAPS Inc.  
11630 W 85<sup>th</sup> St.  
Lenexa, KS 66214  
913-599-0500 or 913-221-9260  
[dyoder@mapsweb.com](mailto:dyoder@mapsweb.com)

Insurance agency:

Evans Real Estate & Insurance  
ATTN: John Evans, Jr.  
502 E 4<sup>th</sup> Street  
Tonganoxie, KS 66086  
913-845-2400  
[John2@Sunflower.com](mailto:John2@Sunflower.com)

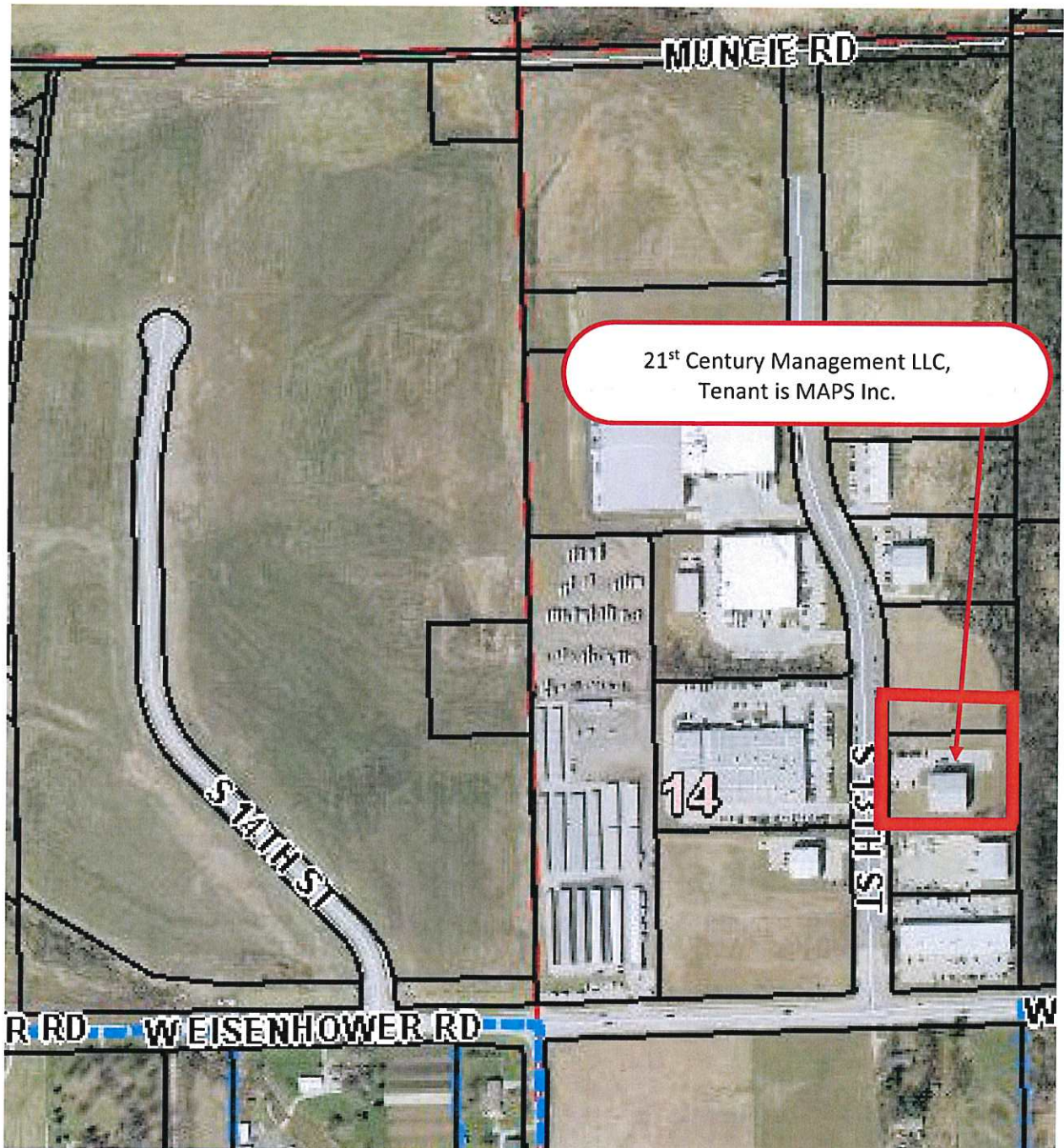
Property location:

5001 S 13<sup>th</sup> Street  
Leavenworth, KS 66043



2022: Gary Carlson Industrial Park

21<sup>st</sup> Century Management LLC, Lot 9, less the South 250 feet, LEAVENWORTH AREA BUSINESS CENTER, in Leavenworth County, Kansas.





**Project Photos**







**POLICY REPORT NO. P&R 08-22**  
**Parks & Recreation Department**  
**Stubby Park Restroom**  
**June 28, 2022**

**PREPARED BY:**

  
Steve Grant  
Parks and Recreation Director

**REVIEWED BY:**

  
Paul Kramer  
City Manager

  
Brian Bailey  
Park Superintendent

**ISSUE:**

Consider purchase and installation of restroom facility at Stubby Park.

**BACKGROUND:**

In 2020, the playground equipment at Stubby Park was replaced. The overall footprint was widely expanded to multiple play features and composite play structures. The parking lot was also expanded along with additional access walkways installed. This expansion has made the site a destination playground, making it readily apparent for the need of a permanent restroom.

After considering purchasing options, staff elected to utilize the Sourcewell Cooperative Purchasing contract with BKM Construction, LLC to construct a restroom at the site. BKM is a Leavenworth based general contractor and was the general contractor on the construction in 2020 at the park. The restroom will be of block construction very similar to materials and layout of the restroom facility at Hawthorn Park. The work by BKM on the upgrades in 2020 was very professional, and staff feels very confident with their ability to construct a high quality restroom facility at Stubby Park.

The City has successfully utilized Sourcewell Cooperative Purchasing contracts in the past. This purchasing contract allows for the purchase and installation of a restroom facility that meets our needs by a qualified contractor. It ensures that we are receiving the best possible price while guaranteeing standard governmental competitive purchasing practices are followed. Mr. Jon Grider with Gordian is the Administrator for Sourcewell contracts in our region. Mr. Grider's responsibility is to review and approve the proposals and scope of work for the contracts. Mr. Grider is in attendance to answer any questions the Commission may have regarding this process.

**BUDGET IMPACT:**

The City issued temporary notes in the amount of \$800,000 to fund parks projects in 2022. The final contract amount for the Stubby Park restroom project of \$183,751.85 can be accommodated within this budget.

**RECOMMENDATION:**

Staff recommends the proposal from BKM Construction, LLC on the Sourcewell Cooperative Purchasing contract for the construction of the restroom facility at Stubby Park in the amount not to exceed \$183,751.85.

**ATTACHMENTS:**

BKM Construction, LLC, Sourcewell contract and price proposal summary.  
Stubby Park Master Plan from 2019.  
Design build restroom floor plan and elevations.





**Work Order Signature Document**

**Sourcewell Contract No.: KS-E-GC02-111319-BKM**

**New Work Order**       **Modify an Existing Work Order**

Work Order Number: 102862.00      Work Order Date: 06/01/2022

Owner PO No:

Work Order Title: Leavenworth P&R Stubby Park Restroom

Owner Name: KANSAS - City of Leavenworth      Contractor Name: BKM Construction, LLC

Contact: Brian Bailey      Contact: Richard Templeton

Phone: 913-758-6610      Phone: 913-297-0049

**Work to be Performed**

Work to be performed as per the Final Detailed Scope of Work Attached and as per the terms and conditions of EZIQC Contract No KS-E-GC02-111319-BKM.

Brief Work Order Description:

**Time of Performance**      *See Schedule Section of the Detailed Scope of Work*

**Duration**

**Liquidated Damages**      Will apply:       Will not apply:

**Work Order Firm Fixed Price: \$183,751.85**

Owner Purchase Order Number:

**Approvals**

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Date

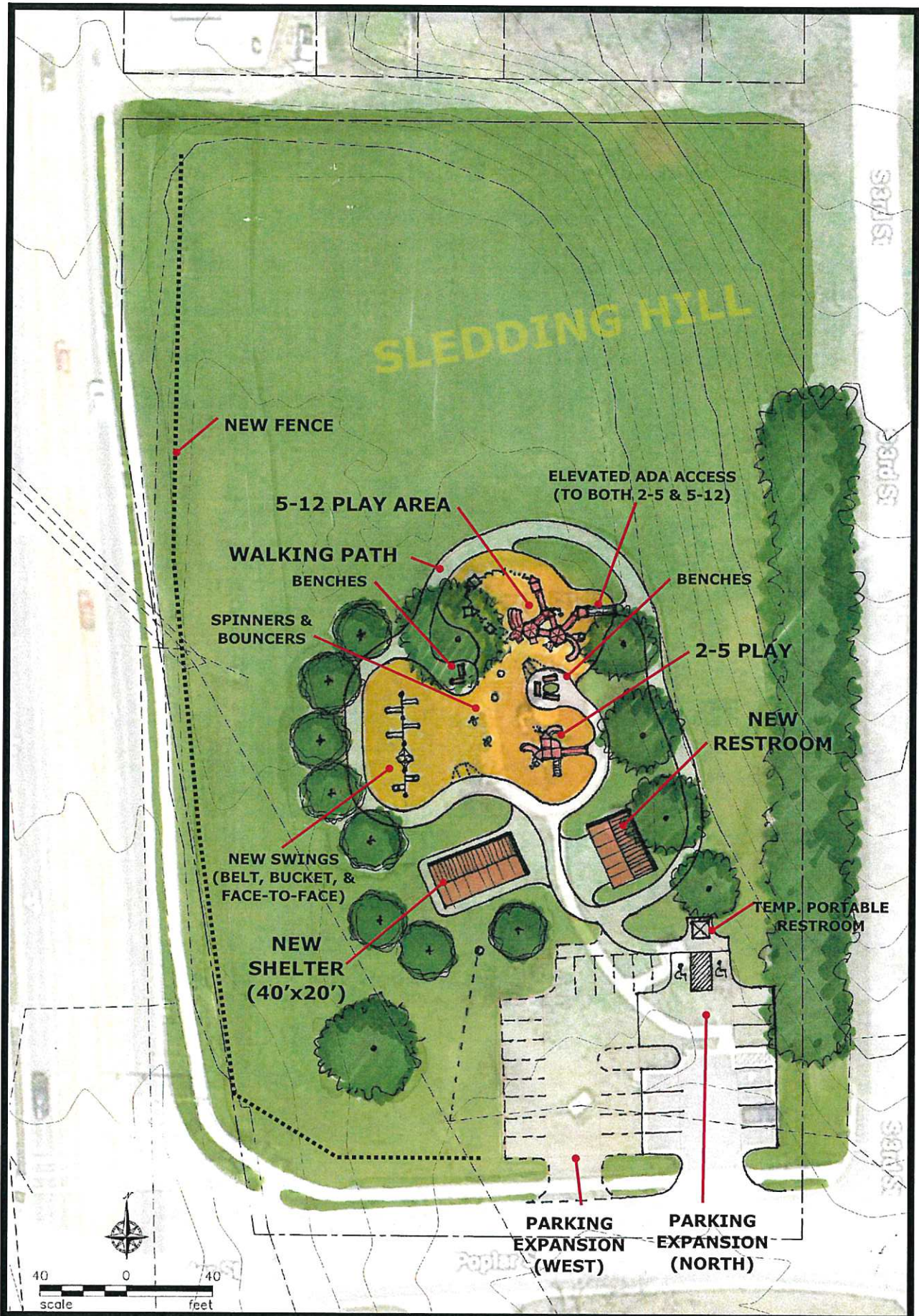


## Contractor's Price Proposal - Summary

**Date:** June 01, 2022  
**Re:** IQC Master Contract #: KS-E-GC02-111319-BKM  
 Work Order #: 102862.00  
 Owner PO #:  
 Title: Leavenworth P&R Stubby Park Restroom  
 Contractor: BKM Construction, LLC  
 Proposal Value: \$183,751.85

<b>01 - General Requirements</b>	<b>\$25,033.91</b>
<b>02 - Site Work</b>	<b>\$558.08</b>
<b>03 - Concrete</b>	<b>\$9,559.38</b>
<b>04 - Masonry</b>	<b>\$34,714.92</b>
<b>06 - Wood, Plastic, and Composites</b>	<b>\$5,624.82</b>
<b>07 - Thermal &amp; Moisture Protection</b>	<b>\$15,653.70</b>
<b>08 - Openings</b>	<b>\$11,445.15</b>
<b>09 - Finishes</b>	<b>\$5,898.35</b>
<b>10 - Specialties</b>	<b>\$5,176.28</b>
<b>11 - Equipment</b>	<b>\$993.88</b>
<b>22 - Plumbing</b>	<b>\$27,905.02</b>
<b>23 - Heating, Ventilating, And Air-Conditioning (HVAC)</b>	<b>\$15,562.76</b>
<b>26 - Electrical</b>	<b>\$15,140.50</b>
<b>31 - Earthwork</b>	<b>\$1,957.33</b>
<b>32 - Exterior Improvements</b>	<b>\$3,630.30</b>
<b>33 - Utilities</b>	<b>\$4,897.47</b>
<b>Proposal Total</b>	<b>\$183,751.85</b>





# STUBBY PARK MASTER PLAN



ROOF TIMBERLINE WEATHERED WOOD

12

9

1/2 SAWED WOOD TRELLIS

DOORS AND FRAMES  
TRUSS STRIP

5'±

7'-0"

7'-0"

2'-0"

9'-2"

SPLIT FACED  
FLOOR LINE

3'-0"

EAST ELEVATION


SCALE: 1/4" = 1'-0"





**POLICY REPORT NO. P&R 09-22  
Parks & Recreation Department  
Havens Park Restroom & Parking  
June 28, 2022**

**PREPARED BY:**

  
Steve Grant  
Parks and Recreation Director

  
Brian Bailey  
Park Superintendent

**REVIEWED BY:**

  
Paul Kramer  
City Manager

**ISSUE:**

Consider purchase and installation of restroom facility and parking area at Havens Park.

**BACKGROUND:**

In 2010, the City developed a master plan for Havens Park located at 22<sup>nd</sup> & Ottawa Streets. Since that time, usage of the park has grown with the addition of many trails for walking, hiking and mountain biking. Users of the park have often inquired with the city about adding a restroom facility at the park. A restroom was also identified in the master plan as one of the first amenities needed as usage of the park increased.

Staff has opted to utilize the Sourcewell Cooperative Purchasing contract with Julius Kaaz Construction Company, Inc. to install a pre-fabricated permanent restroom at Havens Park, as well as parking and access walkways to the facility. Julius Kaaz Construction is a Leavenworth based general contractor that the City has worked with on multiple successful projects in the past, most notably the Springfield Renovation in 2010/2011.

The pre-fabricated restroom facility at Havens Park will be a CXT Cortez model, consisting of two unisex accessible restrooms. Head-in parking will consist of seven regular parking stalls and one van accessible stall. An accessible walkway will lead from the parking area to the restroom facility.

**BUDGET IMPACT:**

The City issued temporary notes in the amount of \$800,000 to fund parks projects in 2022. The final contract amount for the Havens Park restroom and parking project is \$330,776.15. This amount can be accommodated within this budget.

**RECOMMENDATION:**

Staff recommends the proposal from Julius Kaaz Construction Company, Inc. on the Sourcewell Cooperative Purchasing contract for the construction of the restroom facility and parking area at Havens Park in the amount not to exceed \$330,776.15.

**ATTACHMENTS:**

Julius Kaaz Construction Company, Inc. Sourcewell contract and price proposal summary  
Havens Park restroom and parking concept plan.  
Cortez Restroom building floor plan and elevations.



**Work Order Signature Document**

**Sourcewell EZIQC Contract No.: MO-KC-GC01-111319-JKC**

**New Work Order**

**Modify an Existing Work Order**

Work Order Number: 104296.00

Work Order Date: 06/14/2022

Owner PO No:

Work Order Title: City of Leavenworth Havens Park Restroom and Park Improvements

Owner Name: City of Leavenworth

Contractor Name: Julius Kaaz Construction Company, Inc.

Contact: Brian Bailey

Contact: Jeff Kaaz

Phone: 9137586610

Phone: 913-682-3550

**Work to be Performed**

Work to be performed as per the Final Detailed Scope of Work Attached and as per the terms and conditions of Sourcewell EZIQC Contract No MO-KC-GC01-111319-JKC.

Brief Work Order Description:

Havens Park CXT Restroom and Park improvements.

**Time of Performance** See Schedule Section of the Detailed Scope of Work

**Duration**

**Liquidated Damages** Will apply:

Will not apply:

**Work Order Firm Fixed Price: \$330,776.15**

Owner Purchase Order Number:

**Approvals**

\_\_\_\_\_  
Owner Date

\_\_\_\_\_  
Contractor Date



## Contractor's Price Proposal - Summary

**Date:** June 14, 2022  
**Re:** IQC Master Contract #: MO-KC-GC01-111319-JKC  
 Work Order #: 104296.00  
 Owner PO #:  
 Title: City of Leavenworth Havens Park Restroom and Park Improvements  
 Contractor: Julius Kaaz Construction Company, Inc.  
 Proposal Value: \$330,776.15

<b>Electrical</b>	<b>\$3,015.05</b>
<b>Equipment Moves</b>	<b>\$3,482.49</b>
<b>Erosion Control</b>	<b>\$5,003.71</b>
<b>Excavation &amp; Grading</b>	<b>\$60,544.76</b>
<b>General Requirements</b>	<b>\$33,931.40</b>
<b>Parking Area</b>	<b>\$29,122.18</b>
<b>Plumbing</b>	<b>\$3,474.82</b>
<b>Restroom</b>	<b>\$321.59</b>
<b>Restroom - CXT Building</b>	<b>\$133,239.20</b>
<b>Sanitary Sewer</b>	<b>\$13,314.43</b>
<b>Sidewalk</b>	<b>\$15,251.03</b>
<b>Storm Sewer</b>	<b>\$25,708.25</b>
<b>Striping</b>	<b>\$339.82</b>
<b>Water Service</b>	<b>\$4,027.42</b>
<b>Proposal Total</b>	<b>\$330,776.15</b>

The Percentage of NPP on this Proposal: 40.28%

